PATENT COOPERATION TREA TY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

To:

Assistant Commissioner for Patents United States Patent and Trademark Office

Box PCT

Washington, D.C.20231 ETATS-UNIS D'AMERIQUE

Applicant's or agent's file reference

Date of mailing (day/month/year)

29 June 2000 (29.06.00)

in its capacity as elected Office

International application No. PCT/EP99/09200

International filing date (day/month/year) 26 November 1999 (26.11.99) I 27815 PC

Priority date (day/month/year)
30 November 1998 (30.11.98)

Applicant

GOTTSCHALL, Klaus

1.	The designated Office is hereby notified of its election made:
	X in the demand filed with the International Preliminary Examining Authority on:
	09 May 2000 (09.05.00)
	in a notice effecting later election filed with the International Bureau on:
2.	The election X was
	was not
	made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Authorized officer

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1966 Sold Translation



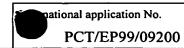
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference I 27815 PC		Notification of Transmittal of International ninary Examination Report (Form PCT/IPEA/416)
International application No. PCT/EP99/09200	International filing date (day/month/y 26 November 1999 (26.11.9)	1
International Patent Classification (IPC) or n C08F 8/30		30 November 1998 (30.11.98)
Applicant DR. GOTTSCHALL INSTRUCTIO	N GESELLSCHAFT FÜR DIE MBH	TECHNISCHE CHROMATOGRAPHIE
This international preliminary exa Authority and is transmitted to the a		y this International Preliminary Examining
2. This REPORT consists of a total of	5 sheets, including this	cover sheet.
been amended and are the b		description, claims and/or drawings which have ning rectifications made before this Authority under the PCT).
These annexes consist of a t	otal of sheets.	
3. This report contains indications rela	ng to the following items:	
I Basis of the report		
II Priority		
III Non-establishmen	of opinion with regard to novelty, inv	entive step and industrial applicability
IV Lack of unity of in	vention	
V Reasoned statement citations and explain	t under Article 35(2) with regard to no nations supporting such statement	velty, inventive step or industrial applicability;
VI Certain documents	cited	
VII Certain defects in	ne international application	
VIII Certain observatio	s on the international application	
Date of submission of the demand	Date of comp	letion of this report
09 May 2000 (09.05)0)	27 December 2000 (27.12.2000)
Name and mailing address of the IPEA/EP	Authorized of	ficer
Facsimile No	Telephone No	

INTERNATIONAL PRELS NARY EXAMINATION REPORT



I. Basis of the report										
1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):										
		the international	application as originally f	iled.						
	$\overline{\lambda}$	the description,	pages1-53	, as originally filed,						
-			pages	, filed with the demand,						
			pages	, filed with the letter of,						
			pages	, filed with the letter of						
	$\overline{\mathbf{x}}$	the claims,	Nos. 1-6,9,10	, as originally filed,						
4	'	ŕ	· · · · · · · · · · · · · · · · · · ·	, as amended under Article 19,						
				, filed with the demand,						
			Nos7,8	, filed with the letter of						
			Nos.	, filed with the letter of						
	\neg	the drawings,	sheets/fig	, as originally filed,						
_		6 -,		, filed with the demand,						
			- -	, filed with the letter of,						
			sheets/fig	, filed with the letter of						
2. The arr	nendi	ments have resulte	ed in the cancellation of:							
			pages							
l		the claims,	Nos.							
		the drawings,	sheets/fig							
'		aic drawings,	silects/fig							
				he amendments had not been made, since they have been considered in the Supplemental Box (Rule 70.2(c)).						
	io go	beyond the disen	osure as med, as maleated	in the Supplemental Box (Rule 70.2(e)).						
4. Additio	onal o	observations, if ne	ecessary:							
			•							
				•						

INTERNATIONAL PROMINARY EXAMINATION REPORT

International application No. CT/EP 99/09200

 Reasoned statement under Article citations and explanations support 	35(2) with regard to novelty ing such statement	, inventive step or industrial app	licability;
Statement			
Novelty (N)	Claims	7-10	YES
	Claims	1-6	NO
Inventive step (IS)	Claims	7-10	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations

Document CH-A-606 196 describes a method for 1. producing cross-linkable polymeric compounds in which a polymer containing a functional group is reacted with a maleic acid derivative. In Example 8, a mixture of dimethylmaleinimidyl caproic acid chloride (this corresponds to the activator) and a poly-p-methylamino-styrole is dissolved in DMF (this corresponds to a homogeneous phase), is heated and reacted whilst being stirred continuously.

Consequently, the method as per Claim 1 is not novel over CH-A-606 196 (PCT Article 33(2)). This also applies to dependent Claims 2-5.

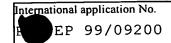
Identical methods lead to identical products and therefore Claim 6, which refers back to the method of production as per Claim 1, is likewise not novel.

Document FR-A-2 526 028, Examples 5-15, also 2. discloses a method in which an unsaturated polyamide is <u>dissolved</u> in chloroform by adding a <u>solution</u> of a dimethyl maleimide from Example 1 whilst stirring.

Consequently, Claims 1-5 and 6 are not novel over

FR-A-2 526 028 either (PCT Article 33(2)).

- 3. Claims 7-10 are novel and involve an inventive step, since the prior art cited in the international search report neither discloses nor suggests an interaction of the derivatised polymer with substrates nor the compound X per se as per Claim 10 (PCT Article 33(2) and (3)).
- 4. Industrial applicability is established (PCT Article 33(4)).



VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

- 1. Claims 7 and 8 are not clear since neither the kind of derivatisation nor the substrate are defined which bring about the (non-covalent) interaction. Claims should be clear in themselves and give a teaching as to technical activity without recourse to the description being required.
- The description, page 4, line 7 (preferably liquid) contradicts Claim 1 (homogeneous phase).
- 3. Claim 1, which relates to a method for producing a derivative of a polymer, is not complete, since a derivative will not be obtained merely from the activation alone (PCT Article 6).